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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,492	10/31/2003	Hill Ferguson	YDLE-P002	3165
24739 7590 09/16/2009 CENTRAL COAST PATENT AGENCY, INC 3 HANGAR WAY SUITE D WATSONVILLE, CA 95076				
EXAMINER THEIN, MARIA TERESA T				
ART UNIT 3627		PAPER NUMBER		
MAIL DATE 09/16/2009		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/699,492

**Applicant(s)**

FERGUSON, HILL

**Examiner**

MARISSA THEIN

**Art Unit**

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on June 29, 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 29, 2009 has been entered.

### ***Response to Amendment***

Applicant's "Request for Continued Examination" filed on June 29, 2009 has been considered.

Claims 1-13 remain pending in this application and an action on the merits follow.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable U.S. Patent No. 6,327,574 to Kramer in view of in view of U.S. Patent Application Publication No. 2004/0034559 to Harris et al.**

Regarding claims 1 and 11-13, Kramer discloses an Internet enabled interface comprising: a window provided by a first Internet -based (TIC) service a first link to that service (col. 15, line 65-col. 16, line 16); a portion in the window encapsulating a

resource form a third-party internet based service (third party servers, col. 11, line 63; col. 18, lines 18-26), separate from the first Internet-base service (TIC), requested by a user though the first Internet-based service, enabling the user to initiate a transaction with the third party service (merchant website; col. 8, line 15-col. 9, line 16; Figures 5A and 5B); and another section, wherein the other section displays user-specific information (information pertinent to the interest o the consumer/new family, col. 8, lines 41-55) provided by the first Internet-base service, that is related to content provided from said resource from the third-party Internet-based service (col. 8, line 15-col. 9, line 16; Figures 5A and 5B).

However, Kraemer does not explicitly disclose the first frame and second frame and a user-interface control element such as control button and a link. Kramer does discloses a top portion of the web page includes promotion information for a dining program has been inserted and in light of the new family's changed consumption patterns information promoting-infant related services of the merchant of interest to the new family has been included in the web page (col. 8, lines 47-54). Kraemer further teaches for the application of TIC, special tags are included in the document wherever selectable content is desired. These selectable content tags will include information which is evaluated with respect to the individual consumer's profile to produce a set of options for which content to present together, with criteria for determining a measure of appropriateness of each option depending on the attributes of an individual viewer. Examples of such attributes might include the age and gender of the viewer, her income level, whether she owns her home, dines out often, travels to Asia, has a pet, or

whether she is interested in science. Based on its model of the viewer, TIC will evaluate the criteria for each option and choose the col. 14, lines 11-15 option with the highest measure of appropriateness. The consequence is that two different viewers of the same URL to a TIC enabled page could be presented with very different content and has a very different experience. (Col. 8, lines 24-40)

Harris, on the other hand, teaches the first and second frame (Figure 2B; paragraph 30) and a user-interface control element such as control button and a link (Figure 2B, ref. no. 39 or 41; hyperlink).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the interactive interface of Kraemer, to include, the first and second frame and a user-interface control element, as taught by Harris in order to simultaneously display formatted first and second web pages in first and second regions respectively of a single user computer browser display screen (Harris paragraph 12), thus providing a more effective, profitable model for content delivery that will yield higher financial returns (Harris paragraph 16).

Regarding claims 2-10, Kraemer discloses a first direct communication link between said internet enabling software and said third party internet based service to provide an interface for said user with said third party internet based service (col. 18, lines 17-18-26; Figure 6); a host portal that provides a bill management service (col. 6, lines 47-59); wherein said request is initiated at said host portal by said use to request said resource (col. 6, lines 47-59); bank balance (col. 5, lines 36-37); resource by said user automatically deep-links said internet enabling software directly to resource (Figure

6; col. 5, lines 30-45); billing information associated with said user (col. 5, lines 36-37; col. 6, lines 47-59); personalized information such a name (col. 7, lines 56-67; col. 14, lines 12-14); and a third frame, wherein said third frame encapsulates a second resource from a second third-party internet (col. 18, lines 18-26; col. 8, lines 15-40).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA THEIN whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marissa Thein/  
Examiner, Art Unit 3627  
September 14, 2009